



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Denial of Verified Claim(s) Against the City of Lodi

MEETING DATE: November 20, 1996

SUBMITTED BY: Human Resources Director

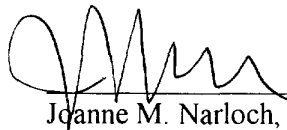
RECOMMENDED ACTION: To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

- A) Fehling, Anita
Date of Loss: 08/28/96
- B) Montalvo, Paul
Date of Loss: 07/18/96
- C) Pacific Gas & Electric
Date of Loss: 07/16/96
- D) Pacific Gas & Electric
Date of Loss: 09/24/96
- E) Young, Susan & Brown, Mathew
Date of Loss: 06/01/96

BACKGROUND INFORMATION: Following review of the verified claims filed against the City of Lodi, the Risk Manager and/or the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA), recommend that the City deny the subject claims.

FUNDING: None required.

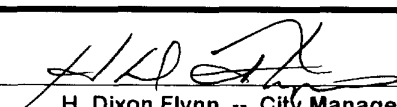
Respectfully submitted,



Joanne M. Narloch, Human Resources Director

cc: City Attorney

APPROVED: _____


H. Dixon Flynn -- City Manager

CITY COUNCIL

DAVID P. WARNER, Mayor
PHILLIP A. PENNINO
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JACK A. SIEGLOCK

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6704
FAX (209) 333-6816

H. DIXON FLYNN
City Manager
JENNIFER M. PERRIN
City Clerk
RANDALL A. HAYS
City Attorney

Notice of Claim Rejection

November 20, 1996

Anita Fehling
5920 E. Live Oak Rd.
Lodi, CA 95242

RE: Claim against the City of Lodi
Date of Loss: 8/31/96
Claim Number: 96-72

Dear Ms. Fehling:


Notice is hereby given that the claim you presented to the City of Lodi on September 17, 1996, is rejected as of the date of this letter.

Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to Sections 128.5 and 1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,


Jennifer Perrin
City Clerk

cc: Bill Benson

CITY COUNCIL

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Notice of Claim Rejection

November 20, 1996

Paul Montalvo
854 Bel Air Court
Lodi, CA 95240

RE: Claim against the City of Lodi
Date of Loss: 7/18/96
Claim Number: 96-53

Dear Mr. Montalvo:

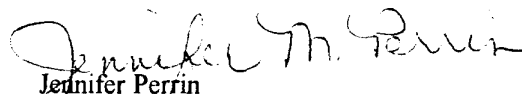
Notice is hereby given that the claim you presented to the City of Lodi on July 31, 1996, is rejected as of the date of this letter.

Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,


Jennifer Perrin
City Clerk

cc: Bill Benson

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Notice of Claim Rejection

November 20, 1996

Susan Young and Mathew D. Brown
c/o Mina L. Ramirez
Strauss, Neibauer, Anderson & Ramirez
620 - 12th Street
Modesto, CA 95354

RE: Claim against the City of Lodi
Date of Loss: 6/01/96
Claim Number: 96-81

Dear Ms. Ramirez:

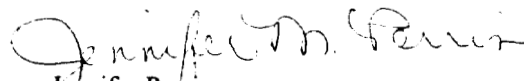
Notice is hereby given that the claim you presented to the City of Lodi on September 25, 1996, is rejected as of the date of this letter.

Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to Sections 128.5 and 1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,


Jennifer Perrin
City Clerk

cc: Bill Benson